

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
OCTOBER 24, 1979

An adjourned regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, October 24, 1979 in the City Hall Council Chambers.

[illegible]

Absent: Councilmen - Katzakian (Mayor)

Also Present: City Manager Graves, Assistant City Manager Glenn, Public Works Director Ronsko, Community Development Director Schroeder, City Attorney Stein, and City Clerk Reimche

INVOCATION The invocation was given by Reverend Vernon Robertson,
Grace Presbyterian Church.

PLEDGE Mayor Pro Tempore Katnich led the Pledge of Allegiance to the flag.

MINUTES On motion of Councilman Pinkerton, Katnich second, the following Minutes were approved as written and mailed.

a. September 19, 1979

b. October 3, 1979

c. October 5, 1979

PROCLAMATION

Mayor Pro Tempore Katnich proclaimed the month of October, 1979, as

"MASONIC MONTH"

PUBLIC
HEARINGS

AMENDMENT TO

CIRCULATION Notice thereof having been published in accordance with
ELEMENT OF law and affidavit of publication being on file in the office
GENERAL PLAN of the City Clerk, Mayor Pro Tempore Katnich called
TO MODIFY for the Public Hearing to consider the City Planning
MOUNCE ST. Commission's recommendation that the Circulation
Element of the General Plan be amended to Modify
Mounce Street.

[illegible]

The matter was introduced by Community Development Director Schroeder, who presented diagrams of the subject area.

Speaking on behalf of the matter was Mr. Dan Anderson, 1500 Edgewood Drive, Vice President of Lodi Door and Metal Co., 1220 E. Victor Road, Lodi.

Minutes of October 24, 1979, continued

the public portion of the hearing was closed.

A lengthy discussion followed with questions being directed to Staff and to Mr. Anderson.

Councilman Hughes then introduced Ordinance No. 1182 amending the Circulation Element of the General Plan to modify Mounce Street as follows:

- a. that the street not be extended easterly to the future extension of Myrtle Street;
- b. that the street terminate in a cul-de-sac turn-around on property belonging to Lodi Door and Metal Company, Inc. just easterly of its present dead-end; and
- c. that the overall width of the street be established at 50 ft.

The motion was seconded by Councilman McCarty and carried by the following vote:

Ayes: Councilmen - Hughes, McCarty, and Katnich

Noes: Councilmen - None

Absent: Councilmen - Katzakian (Mayor)

Abstain: Councilmen - Pinkerton

Councilman Pinkerton returned to the Council table.

ORDER
VACATING
ONE FOOT OF
A PUBLIC
UTILITY
EASEMENT
RUNNING
ALONG THE
REAR OF 1013
S. ORANGE ST,
LODI

Notice thereof having been published and posted in accordance with law and affidavits of publication and posting being on file in the office of the City Clerk, Mayor Pro Tempore Katnich called for the Public Hearing to consider the proposed vacating of one foot of a public utility easement running along the rear of 1013 South Orange St., Lodi.

Council was informed that the owner of the property at 1013 South Orange Street had requested that one foot of the easement located at the rear of his property be abandoned to allow the existing swimming pool to be legal. Apparently the pool company made an error in placing the pool and in order to sell the house the present owners need clearance from the Building Department. The owners have deposited sufficient funds to cover the legal advertising for the abandonment.

A diagram of the subject area was presented by Public Works Director Ronsko.

There being no persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

On motion of Councilman Pinkerton, Katnich second, Council adopted Order vacating one foot of a public utility easement running along the rear of 1013 South Orange Street, Lodi, California.

PLANNING
COMMISSION

City Manager Graves gave the following report of the Planning Commission meeting of October 1, 1979:

ITEMS OF INTEREST

The Planning Commission -

1. Continued consideration of an Amendment to the Land Use Element and five rezoning requests pending preparation of Environmental Impact Reports. This action was taken because of a challenge of the filing on Negative Declarations filed by the Community Development Director by Ms. Ann Cerney, Attorney at Law, acting as a concerned citizen.
2. Accepted the report of the Noise Ordinance Review Committee and forwarded to the City Council.
3. Determined that a Zoning Hardship existed and approved the request of Mr. Lloyd Wakefield for a Variance to reduce the required 5 foot side yard to 3 1/2 feet to permit the construction of a carport between an existing garage and dwelling at 1115 South School Street in an area zoned R-2, Single-Family Residential.

City Manager Graves also gave the following report of the October 8, 1979 City Planning Commission meeting:

1. Determined that no public need existed and recommended approval of the request of Mr. Dave Sherman to abandon a one-foot public utility easement running along the rear of 1013 South Orange Street to permit an existing swimming pool to be legal.

AMENDMENT OF
CIRCULATION
ELEMENT OF GP
RE STREET AND
RAILROAD PATTERNS
IN INDUSTRIAL AREA EAST
OF HIGHWAY 99 SET
FOR PUBLIC
HEARING

2. Recommended amendment of the Circulation Element of the General Plan (i.e. GP-CE-79-3) by amending street and railroad patterns in the industrial areas east of State Highway 99.

On motion of Councilman Pinkerton, Katnich second, item "2" set forth above was set for Public Hearing on November 21, 1979.

The Planning Commission also -

1. Approved the request of Baumbach & Piazza on behalf of Mr. Dean Pearson and Mr. C. H. Blewett, Jr., to divide the lot at 1550 Iris Drive into two single-family dwelling parcels in an area zoned R-1, Single-Family Residential.

ADDITIONAL
ITEMS OF
INTEREST

2. Approved the request of Mr. Terry Piazza on behalf of Mr. Monroe Spivock for the approval of a Tentative Parcel Map to divide Lot 1 of Colony Ranch Subdivision located at the northeast corner of Donner Drive and North Stockton Street in an area zoned R-2, Single-Family Residential.
3. Approved the request of the Lodi Sports Center by Mr. Gary Vochatzer for a Tentative Parcel Map to join portions of 1830 and 1902 South Hutchins Street to 1900 South Hutchins Street located in an R-MD, Residential-Medium Density zone.
4. Approved the request of H & M Builders for a Parcel Map to divide the Don Carpenter property at 1908 South Church Street into two parcels: Parcel "A" to contain 2.0 acres; and Parcel "B" .40 acres, located in an R-1, Single-Family Residential zone.

5. Approved the request of Valley Appliance and Television for a Tentative Parcel Map to join 401 and 411 West Lockeford Street in an area zoned C-2, General Commercial.
6. Approved the requests of Sanguinetti and Arnaiz Development Company for (1) a site plan for commercial-office center at the northwest corner of East Turner Road and North Highway 99, and (2) a Use Permit restaurant structure at 501 East Turner Road in the Mokelumne Village Subdivision in an area zoned C-S, Commercial-Shopping District.
7. Approved the request of Richard Sanford, Administrator, Lodi Memorial Hospital, for a Use Permit to construct two new building additions: (1) one three-story building, and (2) a new boiler building adjacent to the existing hospital building, located in an R-HD, Residential High Density zone.
8. Recommended that the San Joaquin County Board of Zoning Adjustment approved the request of Mr. Dan Morris on behalf of Kaul's Nursery to vary the maximum fence height from 4 feet to 6 feet on the front property line at 5400 East Harney Lane.

COUNCILMAN PINKERTON

OPPOSED TO UNITS BEING DEVELOPED IN SANGUINETTI AND ARNAIZ DEVELOPMENT BECAUSE OF POTENTIAL PROBLEMS BECAUSE OF RAILROAD AND WINERY BEING LOCATED IN CLOSE PROXIMITY

Councilman Pinkerton addressed questions to the Staff regarding item No. 6 of the report on the October 8, 1979 Planning Commission meeting.

Councilman Pinkerton asked that the record show that he is opposed to units being developed in the Sanguinetti and Arnaiz Development because of the presence of the winery and railroad being located in the same area, and the problems which could ensue.

COMMUNICATIONS

ABC LICENSE

City Clerk Reimche presented the following applications for Alcoholic Beverage Licenses which had been received:

- a. Mary L. Sanchez, Lodi Mexican Products, Off Sale Beer and Wine, New License (505 E. Lodi Avenue, Lodi)
- b. Joe A. Esparza, El Pajaro #2, On Sale Beer and Wine Eating Place, Person to Person Transfer (212 S. School Street, Lodi)

City Clerk Reimche presented the following petitions which had been filed with her office.

- a. Petition signed by approximately 25 persons stating, "We, the undersigned are in favor of a four-way stop at the intersection of S. Central Avenue and E. Vine Street".
- b. Petition signed by approximately 100 persons stating "We, the undersigned, are in favor of parallel parking only along Central Ave. This will make a safer environment for cars and bicycles".

Speaking on behalf of the petitions were:

4-WAY STOP
REQUESTED AT S.
CENTRAL AVE. &
E. VINE

- a. Marie Anderson, 909 Wellwood Ave., Lodi
- b. Mrs. James Barrett, 744 S. Central Ave., Lodi

Discussion followed with questions being directed to Staff and to Ms. Anderson and Mrs. Barrett.

On motion of Councilman Hughes, Pinkerton second, Council took the following actions:

a. Staff was directed to study the request for a four-way stop to be established at the intersection of S. Central Avenue and E. Vine Street and to bring back a report to the Council on the matter at a later date.

PARALLEL
PARKING
REQUESTED FOR
CENTRAL AVE.

b. The City Clerk was directed to calendar the request for parallel parking along Central Avenue on the agenda for the November 7, 1979 Council meeting to allow for public input pertaining to this request.

City Clerk Reimche presented a petition signed by approximately 27 persons which reads in full as follows:

PETITION REQUESTING
CONTINUATION OF
PARK PATROL

"We the residents of the Lodi Lake Area wish to commend Rick Gretsinger for the outstanding work he has done in freeing Lodi Lake residents from many of the problems we have had for many years. We believe that to lose him would be highly detrimental.

We wish something could be arranged to keep him as a park ranger for all the city parks. We know Blakely and other park areas have similar problems. Mr. Gretsinger can handle them as well as he has taken care of the difficulties at Lodi Lake.

If the Park Patrol is stopped, we will undoubtedly go back to the same problems he has worked so hard to correct."

Addressing the Council on the matter was:

Mr. Miles Cope, 1012 Laurel Ave., Lodi

A lengthy Council discussion followed with questions being directed to Staff, Mr. Cope and Mr. Ed DeBenedetti, Director of Parks and Recreation, who was also in the audience. Council tacitly concurred that Mr. Gretsinger should be employed as an hourly employee on a regular basis during the "off" season and, further, directed Staff to look into the feasibility of employing a "Park Ranger" at Lodi Lake Park.

REPORTS OF THE
CITY MANAGER

CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager the following actions, hereby set forth between asterisks, on motion of Councilman Pinkerton, Hughes second, were approved by the Council.

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,882,953.10.

Council was apprised that the contract for "City Hall Remodel #5 and #6", which had been awarded to Henry Beuving and Sons of Ripon in the amount of \$324,980.00 has been completed in substantial conformance with the plans and specifications approved by the City Council. The actual completion date of the contract was October 19, 1979, and the final contract price was \$338,233.00.

ACCEPTANCE OF
"CITY HALL
REMODEL #5 AND
#6"

COUNCIL ACCEPTED THE IMPROVEMENTS IN "CITY HALL REMODEL #5 AND #6," AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

ACCEPTANCE OF
1617 ACKERMAN DR.

Council was informed that the Development Improvements at 1617 Ackerman Drive have been completed in substantial conformance with the requirements of the development agreement between the City of Lodi and Genie Development, Inc., dated April 12, 1979, and as specifically set forth in the plans and specifications approved by the City Council.

RES. NO. 79-155

COUNCIL ADOPTED RESOLUTION NO. 79-155 ACCEPTING THE DEVELOPMENT IMPROVEMENTS AND STREETS AT 1617 ACKERMAN DRIVE

MATTHEWS
ESTATE
ACCEPTANCE

Council was apprised that the Subdivision Improvements in Matthews Estate have been completed in substantial conformance with the requirements of the Subdivision Agreement between City of Lodi and Matthews Development Company dated January 26, 1979, and as specifically set forth in the plans and specifications approved by the City Council.

RES. NO. 79-156

COUNCIL ADOPTED RESOLUTION NO. 79-156 ACCEPTING THE SUBDIVISION IMPROVEMENTS AND STREETS INCLUDED IN TRACT MAP NO. 1415, MATTHEWS ESTATE.

ACCEPTANCE OF
MAXWELL
INDUSTRIAL PARK

City Manager Graves informed the City Council that the Subdivision Improvements in Maxwell Industrial Park have been completed in substantial conformance with the requirements of the subdivision agreement between the City of Lodi and Genie Development, Inc., dated April 12, 1979 and as specifically set forth in the plans and specifications approved by the City Council.

RES. NO.
79-157

COUNCIL ADOPTED RESOLUTION NO. 79-157 ACCEPTING THE IMPROVEMENTS IN MAXWELL INDUSTRIAL PARK, TRACT NO. 1519.

PLANS AND
SPECS FOR
STADIUM SEATS
APPROVED

The plans and specifications for "Stadium Seats" were presented for Council's approval. Council was apprised that in general, the work under these plans and specifications consists of minor grading of the slope, placement of a concrete surfacing under the seating, installation of supporting steel framework for the seats, and supplying the materials for the seat and foot boards. The specifications are written

so that we will receive as a base bid the work and material necessary to complete three sections on the south center side of the stadium. The City will also be receiving alternate bids covering one section on the north center side of the stadium and two additional sections on the south side of the stadium.

The Parks and Recreation Department will be responsible for clearing the site of all existing seating and material, and they will also be responsible for the actual installation of the aluminum seating and foot boards.

It is intended that this work start around the first of the year after the completion of the football season.

COUNCIL APPROVED THE PLANS AND SPECIFICATION FOR "STADIUM SEATS" AND AUTHORIZED THE CITY CLERK TO ADVERTISE FOR BIDS THEREON.

SPECS FOR
PURCHASE OF
3-PHASE
PADMOUNTED
TRANSFORMERS
APPROVED

COUNCIL APPROVED THE SPECIFICATIONS FOR THE PURCHASE OF TWO 3-PHASE 12-KV PADMOUNTED TRANSFORMERS AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON.

RES. NO. 2680
NO PARKING ZONE
ON E. SIDE
OF MILLS
BETWEEN
COLETTE STREET
AND ELM STREET
RESCINDED

Council was reminded that in November 1963, the City Council established a "No Parking" zone on the east side of Mills Avenue between Colette Street and Elm Street, because only a half-width street existed which did not provide sufficient width for two-way traffic and street parking. Recently, the street has been constructed to its ultimate width and there is no longer a need for the parking restriction.

RES. NO. 79-158

COUNCIL ADOPTED RESOLUTION NO. 79-158 RESCINDING RESOLUTION ON NO. 2680 ESTABLISHING A "NO PARKING" ZONE ON THE EAST SIDE OF MILLS AVENUE BETWEEN COLETTE STREET AND ELM STREET

City Manager Graves apprised the City Council that in the early 1960's, the Lodi Unified School District acquired a parcel at the east end of E. Vine Street, and the City of Lodi acquired a similar parcel immediately west of them for the C-1 Basin. In order to provide access for the school parcel, the grantors, Houston and Todd, were required to guarantee construction of more than a half-width street. In order to recoup their costs at a later date, they kept a 1' strip along the north to keep anyone else from using the street without contacting them regarding their excess costs. This was a standard procedure at the time.

Since that time, the City of Lodi has acquired the Lodi Unified School District parcel, and, at the present, is in the process of improving Vine Street. It is Staff's recommendation that the City of Lodi compensate Houston/Todd as originally anticipated. The amount for this is

\$1,109.73, plus \$200 for legal costs, as it must go through probate in order for the City to acquire clear title. It has been discussed at some length with Mr. Les Todd, and they are in agreement.

ACQUISITION
OF 1' STRIP ON
VINE STREET,
E. OF BECKMAN
ROAD

Following discussion, on motion of Councilman Pinkerton, McCarty second, Council approved the agreement between the City of Lodi and Leslie G. Todd, Mary E. Todd and Joyce J. Houston, and authorized the City Manager and City Clerk to execute the Agreement on behalf of the City.

SPECS FOR
TRANSPORTATION
ENGINEER/
PLANNER
APPROVED

Following introduction of the matter by the City Manager and additional information provided by Public Works Director Ronsko, the City Manager recommended that the City utilize a portion of the SB 325 Funds to administer and move forward the City's Street Capital Improvement Program. The City Manager further recommended that the City contract with someone to assist with the administration of this program on a year-to-year basis until such time as the City's street Capital Improvement Program is current. It is further recommended that the contract price for this position be equivalent to that of a Junior Civil Engineer which is \$1373 per month. The position would not be in the classified Civil Service of the City of Lodi. The funds for this position were included in the City's 1979-80 SB 325 Claim, the City's 5-year Capital Improvement Program, and the City's 1979-80 Capital Improvement Program, therefore funds are available.

Following a lengthy discussion, on motion of Councilman Pinkerton, Katnich second, Council approved the job specifications and recommended salary as heretoforth setforth for the position of Transportation Engineer/Planner.

Council was reminded that the City's Memorandum of Understanding with the International Brotherhood of electrical Workers, Local 245, calls for a 5% general salary increase for all represented employees, effective September 3, 1979. That Memorandum was used as authority to make those salary increases when due; however, on reflection, that does not provide an adequate audit trail.

SALARY INCREASES,
IBEW

RES. NO. 79-159

On motion of Councilman McCarty, Katnich. second, Council adopted Resolution No. 79-159 authorizing a 5% general salary increase to all employees represented by IBEW, effective September 3, 1979.

Councilman Hughes asked to abstain from discussion and voting on the following matter as he serves as a member of the Board for the Lodi Community Hospital, and would possibly have a conflict of interest.

Public Works Director Ronsko introduced the matter of the Specific Plan for Lower Sacramento Road (in the area of the Lodi Community Hospital) which sets forth a requirement of 10 foot sidewalks. An appeal has been received from Lodi Community Hospital requesting a modification of this requirement. A diagram of the subject area and proposed

modifications was presented for Council's perusal.

MODIFICATION
OF LOWER
SACTO ROAD
SPECIFIC PLAN -
COMMUNITY
HOSPITAL
SIDEWALK

On motion of Councilman Pinkerton, Katnich second, Council by the following vote approved modifications to the Lower Sacramento Road Specific Plan as follows:

a. reduction of sidewalk requirements to 5 1/2 foot width,

b. that a verticle retaining wall be constructed as depicted by Staff in a diagram presented for Council's perusal.

(Staff is to come back to the Council at a later date with a proposal amending the entire Specific Plan for the subject area.)

Ayes: Councilmen - McCarty, Pinkerton, Katnich

Noes: Councilmen - None

Absent: Councilmen - Katzakian (Mayor)

Abstain: Councilmen - Hughes

UPDATE REPORT
ON PUC HEARINGS
GIVEN BY
CITY ATTORNEY

An update report regarding the PUC hearings currently underway was given by City Attorney Stein upon request of Mayor Pro Tempore Katnich.

ORDINANCES

ORDINANCE
REPEALING
CHAPTER 3
OF THE CITY CODE
AND ENACTING
A NEW CHAPTER 3
AS IT RELATES TO
ANIMAL AND FOWL
WITHIN THE CITY
OF LODI
ORD. NO. 1181
ADOPTED

Ordinance No. 1181, entitled, "An Ordinance Repealing Chapter 3 of the Lodi City Code and Enacting a New Chapter 3 as It Relates to Animals and Fowl Within the City of Lodi " having been introduced at a regular meeting held October 3, 1979 was brought up for passage on motion of Mayor Pro Tempore Katnich, Hughes second. Second reading was omitted after reading by title, and the Ordinance was then adopted and ordered to print by the following vote.

Ayes: Councilmen - Hughes, McCarty, Pinkerton, Katnich

Noes: Councilmen - None

Absent: Councilmen - Katzakian (Mayor)

ADJOURNMENT

There being no further business to come before the Council, Mayor Pro Tempore Katnich adjourned the meeting at approximately 9:40 p.m.

Attest: *Alice M. Reimche*
ALICE M. REIMCHE
City Clerk